

**From:** [Salinas, Amy](#)  
**To:** [Steven Shurn](#); [Moore, Gary](#)  
**Cc:** [Wayne Kitchens](#); [Abigail Ryan \(Abigail.Ryan@tceq.texas.gov\)](#)  
**Subject:** RE: Draft Access Agreement  
**Date:** Wednesday, May 20, 2015 9:09:07 AM

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If Lubrizol wanted to have a presence on the Site earlier than the approval of the VCP, will the Trustee grant access earlier than VCP approval? I have not spoken to Lubrizol, but I believe Gary has discussed this with them.

Amy

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**From:** Steven Shurn [mailto:[sds@hwallp.com](mailto:sds@hwallp.com)]  
**Sent:** Wednesday, May 20, 2015 8:48 AM  
**To:** Moore, Gary  
**Cc:** Salinas, Amy; Wayne Kitchens; Abigail Ryan (Abigail.Ryan@tceq.texas.gov)  
**Subject:** RE: Draft Access Agreement

Thank you for the email Gary.

We discussed these issues with Amy yesterday.

Steve

Steven Shurn, Partner  
Hughes Watters Askanase, LLP  
Three Allen Center  
333 Clay, 29th Floor  
Houston, Texas 77002  
713-759-0818 - Main  
713-328-2824 - Direct  
713-759-6834 - Fax  
[sshurn@hwa.com](mailto:sshurn@hwa.com)



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**From:** Moore, Gary [mailto:[Moore.Gary@epa.gov](mailto:Moore.Gary@epa.gov)]  
**Sent:** Tuesday, May 19, 2015 8:34 PM  
**To:** Steven Shurn  
**Cc:** Salinas, Amy; Wayne Kitchens; Abigail Ryan ([Abigail.Ryan@tceq.texas.gov](mailto:Abigail.Ryan@tceq.texas.gov))

**Subject:** Re: Draft Access Agreement

Steve

Thank you for your response. It is vitally important that the transition happen now as we are close to being done with our actions. It is important to set the tone with the residents as they are concerned with progress after EPA leaves. Someone will have to continue to manage the Stormwater and hopefully start debris removal and hydro lasting the tanks.

I would like the access provided now to allow a good transition and good will to the community that has had to experience the odors associated with this site.

Thanks

Gary Moore

Sent from my iPhone

On May 19, 2015, at 11:36 AM, Steven Shurn <[sds@hwallp.com](mailto:sds@hwallp.com)> wrote:

Gary, my partner Wayne Kitchens is handling this aspect – 713-759-0818.

However, both the TCEQ and the PRP group acknowledge that the PRP Group cannot access the property and begin work *until* the TCEQ approves the submitted applications and the VCP is approved.

We are told that this will take between 30 and 45 days.

I have copied Abby Ryan with the TCEQ on this email. Abby if our understanding is incorrect, please let us know as soon as possible.

I will call Amy now.

Thank you.

Steve

Steven Shurn, Partner

Hughes Watters Askanase, LLP

Three Allen Center

333 Clay, 29th Floor

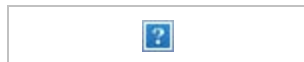
Houston, Texas 77002

713-759-0818 - Main

713-328-2824 - Direct

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**From:** Moore, Gary [<mailto:Moore.Gary@epa.gov>]

**Sent:** Tuesday, May 19, 2015 11:11 AM

**To:** Steven Shurn

**Cc:** Salinas, Amy

**Subject:** FW: Draft Access Agreement

Steve:

How do we get this executed ASAP? We need to get the PRP Group on-site immediately to begin transition of activities to complete the cleanup on the site. We cannot afford to have any delays in activities.

Thanks

**Gary Moore**

**Federal On-Scene Coordinator**

**U.S. EPA Region 6**

**214-789-1627 cell**

**214-665-6609 office**

[moore.gary@epa.gov](mailto:moore.gary@epa.gov)

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**From:** Walter, Karen [<mailto:Karen.Walter@lubrizol.com>]

**Sent:** Tuesday, May 19, 2015 10:58 AM

**To:** Moore, Gary

**Subject:** FW: Draft Access Agreement

Gary,

Here is the access agreement that we sent to the parties last week.

Karen L. Walter

Counsel

The Lubrizol Corporation

29400 Lakeland Boulevard

Wickliffe, Ohio 44092

Telephone: 440-347-5028

Facsimile: 440-347-5218

[karen.walter@lubrizol.com](mailto:karen.walter@lubrizol.com)

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**From:** Bates, David [<mailto:dbates@gardere.com>]

**Sent:** Thursday, May 14, 2015 11:37 AM

**To:** [sshurn@hwa.com](mailto:sshurn@hwa.com); Wayne Kitchens ([WKitchens@hwa.com](mailto:WKitchens@hwa.com)); David Askanase ([dja@hwallp.com](mailto:dja@hwallp.com))

**Cc:** Walter, Karen; 'Abigail.Ryan@tceq.texas.gov' ([Abigail.Ryan@tceq.texas.gov](mailto:Abigail.Ryan@tceq.texas.gov))

**Subject:** Draft Access Agreement

As discussed yesterday, attached is a simple access agreement to permit the PRP Group to begin work. Let us know your thoughts. Thanks.

David M. Bates | Partner  
**Gardere Wynne Sewell LLP**

1000 Louisiana, Suite 3400 | Houston, TX 77002  
713.276.5355 direct  
713.276.6355 fax  
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